

CHAPTER 18
COMPENSATION AND PAY PRACTICES

BARGAINING UNITS REFER TO CONTRACTS

18.1 DETERMINATION OF SALARY SCHEDULES/PAY RATES

18.1.A FIXING ANNUAL SALARY SCHEDULES: The Education Code authorizes the Board of Trustees to fix the annual salary schedules for all classified employees and other employees not requiring certification qualifications employed by the District unless otherwise prescribed.

1. The Education Code requires the Board of Trustees, not later than the date prescribed for approval of the publication budget of every year, to fix the salary schedule for the ensuing school year for all classified employees. Any action taken by the Board of Trustees must be in compliance with the Personnel Commission's Rules and Regulations.

REFERENCE: Education Code Sections 88080, 88081, 88082, 88086.5 and 88160

18.1.B BOARD MAY INCREASE SALARY SCHEDULE: The Board of Trustees may increase the salary schedule for classified employees at any time during the fiscal year and will consider increases and/or decreases resulting from the classification or reclassification of positions as approved by the Commission.

REFERENCE: Education Code Sections 88080, 88081 and 88162

18.1.C BOARD MUST EMPLOY/PAY IN ACCORDANCE WITH MERIT SYSTEM: The Board of Trustees is authorized to employ, pay and otherwise control the services of classified employees only in accordance with the provisions of Title 2, Division 3, Chapter 5, Article 6 (Merit System) of the State of California Education Code and these Rules.

REFERENCE: Education Code Sections 88061, 88080 and 88081

18.1.D COMMISSION SHALL RECOMMEND SALARY SCHEDULES TO BOARD: The Director of Human Resources shall prepare recommendations for classes to classified salary schedules for approval by the Personnel Commission. The salary schedule(s) approved by the Personnel Commission shall be presented to the Board of Trustees. The Commission's recommended salary schedule may take into account the following factors:

1. The wages and salaries paid by other college districts in the recruitment area.

2. The wages and salaries paid by other government agencies which may be in competition with the district labor market.
3. The principle of like pay for like work within the classified services.
4. Differential pay for those employees required to work an early morning or late evening shift.
5. Differential pay to those employees required to perform duties of a distasteful, dangerous or unique nature.
6. Such other information as the Commission may require.

REFERENCE: Education Code Sections 88076, 88080, 88081 and 88087

18.1.E BOARD'S ACTION ON SALARY SCHEDULE RECOMMENDATIONS: The Board of Trustees may approve, amend, or reject the salary schedule recommendations of the Personnel Commission, but may not alter the relationships, salary range placements, of the classes as established by the Personnel Commission until the Personnel Commission is first given the right to comment on the changes.

REFERENCE: Education Code Sections 88076, 88080, 88081 and 88087

18.1.F COMMISSION SHALL DETERMINE SALARY RANGE PLACEMENTS: The Personnel Commission shall set reasonable relationships between the various classifications. The Commission may make modifications to the relationships as part of its statutory obligations after the District Administration and any exclusive bargaining agent that represents impacted employees have had an opportunity to comment on the modifications. The Personnel Commission adopted schedule of relationships for all classifications is contained in Chapter 3 of these Rules and Regulations.

REFERENCE: Education Code Sections 88076, 88080, 88081 and 88162

18.2 APPLICATION OF SALARY SCHEDULES

18.2.A INITIAL SALARY PLACEMENT: All new regular classified employees shall be paid in accordance with the salary range established for the class to which assigned. The hiring rate will normally be the first step of the salary range. No changes shall operate to disturb the relationship which compensation schedules bear to one another, as the relationship has been established in the classification made by the commission.

However, a new employee may be provided with advanced step placement upon a recommendation from the appointing authority, approval of the

Superintendent/President, recommendation of the Director of Human Resources and approval by the Personnel Commission based upon such factors as:

1. Additional qualifying experience beyond that required for entry into the class.
2. Additional education at the college level limited to no more than one step for each two years of education related to the position, but beyond the educational requirements established for entry into the class.
3. Difficulty experienced in the recruitment of candidates to meet the vacancy needs in the class.
4. The additional skills or qualifications of the candidate that make him/her especially qualified for the position.
5. Current monthly salary of the eligible who is accepting an employment offer.
6. New Classified Directors may be hired at any step of the salary range for the class based on experience and/or exceptional or unusual qualifications with Personnel Commission approval.

REFERENCE: Education Code Sections 88080, 88081, and 88087

18.2.B SALARY PLACEMENT OF TEMPORARY EMPLOYEES: Salary placement of temporary, substitute, and limited-term employees will be at the first step of the appropriate salary range. Exceptions to this rule may be made using the same criteria outlined in Rule 18.2.A and approved pursuant to Rule 18.2.B. Classified retirees of the District shall be compensated pursuant to Rule 7.5.

REFERENCE: Education Code Sections 88080 and 88081

18.2.C STEP ADVANCEMENT:

1. When a probationary non-management team_employee accepts a regular position on the first step of the salary range, a salary adjustment shall be granted to step 2 upon successfully completing the probationary period outlined in these Rules and receiving a rating of meets expectations on their most recent evaluation. If completion of this period of satisfactory service is completed on or before the fifteenth (15th) day of the month salary adjustment shall be the first of the month. If the completion of this period of satisfactory service is completed on the sixteenth (16th) day of the month or after, the salary adjustment shall be the first of the following month. The date of the

first salary adjustment after employment is known as the Anniversary Date. After reaching the Anniversary Date, salary adjustments shall be made on an annual basis, provided the employee has received a satisfactory rating during the period. Employees on monthly salary ranges who have not attained the maximum salary step for their respective class shall qualify for advancement to the next higher step in the salary range after having been compensated for at least 75% of the working days of each month of a six (6) month period on the first step. Thereafter, step advancement shall occur annually after being compensated for one service year on each succeeding step until the maximum salary step for the class is attained. Confidential employees follow the above except that the probation period is one (1) year in duration.

2. When a probationary or permanent management team employee accepts a regular position on the first step of the salary range, a salary adjustment shall be granted to step 2 upon receiving a rating of exceeds expectation on their probationary evaluations and as recommended by their supervisor and approved by the Vice President. This step advancement will take place after serving six (6) months in the classification. If completion of this period of satisfactory service is completed on or before the fifteenth (15th) day of the month salary adjustment shall be the first of the month. If the completion of this period of satisfactory service is completed on the sixteenth (16th) day of the month or after, the salary adjustment shall be the first of the following month. The date of the first salary adjustment after employment is known as the Anniversary Date. After reaching the Anniversary Date, classified management team personnel who have not attained the maximum salary step for their respective classes shall qualify for advancement to the next higher step in the salary range each July 1 after receiving an evaluation rating of exceeds expectations or above and having a recommendation for advancement by their supervisor and approved by the Vice President and having been compensated for 50% of a service year on each succeeding step until the maximum step for the class is attained.

1. Salary step advancement shall not be granted automatically, but must be based upon satisfactory performance by the employee as shown by his/her last service evaluation.

a. Employees placed above the first step of the salary range who have not attained the maximum step for their respective class, shall qualify for advancement to the next higher step on the salary range after completion of the 12-month probationary period of employment. Thereafter, step advancement shall occur annually until the maximum salary step for the class is attained.

- b. If employee files an appeal and/or grievance regarding the overall less than exceeds expectation evaluation and the evaluation is overturned, the employee shall receive the step advancement retroactive to the employee's anniversary date.
- c. The immediate supervisor or the employee may request a new evaluation. If a new evaluation is required, the immediate supervisor shall set the date for the new evaluation not less than 30 or more than 90 days from the date of the overall less than satisfactory evaluation. If this new evaluation is overall satisfactory, the step advance will be granted the first of the month in which the evaluation is completed.

REFERENCE: Education Code Sections 88080 and 88081

18.2.D "Y" RATING INCUMBENTS: By special resolution of the Personnel Commission, the effects of downward range adjustments may be mitigated by a policy of "Y" rating the impacted incumbent's current salary/hourly rate until the new lower salary/hourly rate catches up to the incumbent's salary/hourly rate. The impact of this policy would mean that an incumbent so "Y" rated would receive no general cost of living or normally entitled salary step increase until his/her old higher hourly rate was matched and/or exceeded by the new lower hourly rate.

1. Whenever the Personnel Commission gives authorization to "Y" rate an incumbent, the rate will be discontinued when the employee receiving the rate is promoted or separates from the service. It will also be discontinued whenever the salary range for the class is increased so that it encompasses the employee's present rate, in which event the employee's salary rate will be adjusted to the nearest highest amount in the new range.

REFERENCE: Education Code Sections 88080 and 88081

18.2.E PROMOTIONAL SALARY RATE: In determining the salary for an employee who is promoted, the following procedure shall be used:

1. Regular classified and confidential employees: The new salary step placement shall be to a step in the new range that gives not less than 5 percent increase, provided that the employee receives at least the minimum step for the new class. Additional advances in the salary range for the class to which promoted will be made on the anniversary date following completion of at least 75% of the working days of a six month period and annually thereafter in accordance with the provisions of this chapter, until the maximum salary step for the class is attained.

2. Management team employees: The new salary step placement shall be to a step in the new range that gives not less than 5 percent increase, provided that the employee receives at least the minimum step for the new class. Additional advances in the salary range for the class to which promoted will be made in accordance with the provisions of section 18.2.C.2 of this chapter, until the maximum salary step for the class is attained.
3. When computing salary for promotional step placement, employees who had been receiving shift differential pursuant to these Rules, but will no longer due to the promotion, shall use their "present monthly salary" (without including any shift differential they had been receiving in the lower class) for the purposes of calculating the new promotional salary step placement.

REFERENCE: Education Code Sections 88080 and 88081

18.2.F PLACEMENT AFTER UNPAID LEAVE OF ABSENCE: Upon return from an unpaid leave of absence, an employee shall be placed on the same step of the range for the class which he/she had achieved prior to taking the leave, including any change(s) in rate or range applicable to the employee's class; except that step advancement within the range shall be granted under the following conditions:

1. When the employee's paid status credit since returning, when combined with any previous service time earned prior to the unpaid leave but after the last anniversary date increase, add up to the equivalent of one year's service credit for purposes of step advancement.
2. Credit for step advancement shall accrue during leaves of absence for military leave within the District, and any paid leaves of absence (e.g., illness, vacation, industrial accident/illness, etc.).

REFERENCE: Education Code Sections 88080, 88081 and 88128

18.2.G SALARY PLACEMENT UPON DEMOTION: An employee who selects voluntary demotion in lieu of layoff voluntarily demotes or involuntarily demoted shall be placed on the step of the range of the lower class which is closest to the rate the employee earned in the higher class; provided that the employee shall not receive a salary increase thereby. The demoted employee shall retain the anniversary date established in the higher class.

REFERENCE: Education Code Sections 88080, 88081 and 88128

18.2.H SALARY PLACEMENT UPON FAILING PROBATIONARY PERIOD: An employee who is demoted to their former class during the probationary

period shall be placed on the step of the former range and retain the former anniversary date they held prior to promotion.

REFERENCE: Education Code Sections 88080, 88081 and 88128

18.2.I PLACEMENT WHEN REEMPLOYED OR REINSTATED: When an employee is reemployed or reinstated following a resignation, layoff, or other separation from employment, the employee shall be placed on the same step of the range for the class which he/she had achieved prior to the separation, including any change(s) in rate or range applicable to the employee's class; except that step advancement within the range shall be granted under the following conditions:

1. When the employee's paid status credit is combined with any service time earned prior to the employment separation, but after the last anniversary date increase, adds up to the equivalent of one year's service credit, the employee is eligible for step advancement in accordance with Rule 18.2.C.

REFERENCE: Education Code Sections 88080, 88081 and 88128

18.2.J SUMMER/RECESS PERIOD SALARY PLACEMENT: A classified employee shall (for services performed during summer or any other recess period), receive on a pro-rata basis not less than the compensation and benefits which are applicable to the classification during the regular academic year for the position.

REFERENCE: Education Code Sections 88080, 88081 and 88128

18.2.K PLACEMENT WHEN ASSIGNED SUBSTITUTE/TEMP POSITION: Provisional, limited term, and substitutes will receive compensation at Step 1 of the classification filled on an hourly basis.

REFERENCE: Education Code Sections 88010, 88076, 88080, 88081, 88087, 88104, 88104.5

18.3 DIFFERENTIAL/LONGEVITY PAY PRACTICES

18.3.A DIFFERENTIAL COMPENSATION: The Personnel Commission shall, insofar as it is possible to do so, determine the practices relating to morning and night shift salary differentials in surrounding public schools in which it must compete for employees for its classified staff, and shall consider the advisability of recommending comparable salary differentials for its classified staff, and make recommendations to the Board of Trustees regarding differential pay.

1. Employees in the classified service whose regularly assigned time requires them to work between the hours of 5 p.m. and 12 midnight shall be paid swing shift differential pay. Employees whose regularly

assigned time requires them to work between 12 midnight and 7 a.m. shall be paid graveyard differential pay.

2. No differential pay of either kind shall be paid an employee whose regular shift starts at 6:30 a.m. or later.
3. If an employee is regularly assigned to work between 5 p.m. and 7 a.m., less frequently than five days a week, night differential pay shall be paid only for those days on which such work is done.
4. Night differential pay shall be paid effective the first day an employee is assigned to work between 5 p.m. and 7 a.m.
5. An employee receiving shift differential on his/her assignment at the time paid leave is taken shall be paid the shift differential.

REFERENCE: Education Code Sections 88080, 88081, 88181, 88182 and 88184

18.3.B TEMPORARY ASSIGNMENT: An employee receiving differential compensation pursuant to these Rules shall not lose such compensation if the employee is temporarily, assigned to a position not entitled to such compensation. (20 working days or less)

1. Differential pay shall terminate effective the first day that an employee is permanently reassigned to daytime work hours or on the twenty-first (21st) working day of a temporary change.

REFERENCE: Education Code Sections 88080, 88081 and 88145

18.3.C ANNIVERSARY INCREMENT: Regular full-time classified employees who have completed ten (10) years of accredited service in a paid status shall receive a monthly anniversary increment as stipulated on the salary schedule. The employee must have been in a paid status for seventy-five (75) percent of his/her period of annual employment to earn a year of accredited service. The employee will start earning the anniversary increment on the first working day of the month following the completion of ten (10) years of accredited service. Regular classified employees who have completed five (5) additional years of accredited service, shall receive an additional monthly anniversary increment as stipulated on the salary schedule up to and including 30 years of service. Regular part-time classified employees shall receive anniversary increments prorated at the same ratio as the regular work hours per day or days per week to eight (8) hours per day, forty (40) hours per week. Reinstatement rights as defined in Board Policy 626.1, Reinstatement, shall apply to the establishment of eligibility for anniversary increments. The break in service of an employee reinstated after August 19, 1974, may not exceed thirty-nine (39) months to establish accredited service for anniversary increments.

The Board of Trustees has approved longevity for classified employees as follows:

1. Commencing the 10th service year
2. Commencing the 15th service year
3. Commencing the 20th service year
4. Commencing the 25th service year
5. Commencing the 30th service year

FOR MANAGEMENT TEAM PERSONNEL (Below Range 17):

6. Commencing the 10th service year
7. Commencing the 15th service year
8. Commencing the 20th service year
9. Commencing the 25th service year
10. Commencing the 30th service year

REFERENCE: Education Code Sections 88080 and 88081

18.4A COMPUTATION OF REGULAR PAY: When computing the regular pay for a classified employee the calculation shall be in the following order:

1. The employee's appropriate salary range and step shall be considered the employee's base salary.
2. Added to the base salary shall be any longevity to which the employee may be entitled.
3. AFT members regular pay includes any longevity entitlement, if entitled.

REFERENCE: Education Code Sections 88080, 88081 and 88180 - 88186